

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
WEST PALM BEACH DIVISION

CASE NO. 23-81171-CIV-CANNON

JOHN MONROQUE,

Plaintiff,

v.

NICHOLAS LORDI et al.,

Defendants.

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**ORDER DISMISSING COMPLAINT**

**THIS CAUSE** comes before the Court upon a sua sponte review of the record. On August 22, 2023, Plaintiff filed the instant Complaint [ECF No. 1]. The Complaint purports to bring seven claims against Defendants [ECF No. 1]. Counts IV and VI of the Complaint, however, incorporate all allegations from preceding counts—Counts II and V, respectively [*see* ECF No. 1 ¶¶ 63, 73]. Complaints that follow this approach constitute impermissible “shotgun pleadings,” *see Weiland v. Palm Beach Cnty. Sheriff’s Off.*, 792 F.3d 1313, 1321 (11th Cir. 2015), and the Court has an independent obligation to dismiss such pleadings and require repleader. *See Ain Jeem, Inc. v. Individuals, Partnerships, & Unincorporated Associations Identified on Schedule A*, No. 21-CV-1331, 2021 WL 2941735, at \*1 (M.D. Fla. July 13, 2021) (citing cases).

Accordingly, it is hereby **ORDERED AND ADJUDGED** as follows:


1. The Complaint [ECF No. 1] is **DISMISSED WITHOUT PREJUDICE**.
2. Plaintiff may file an amended pleading that is consistent with this Order on or before **September 6, 2023**. **The amended pleading must not contain any successive counts that incorporate all prior allegations.** In other words, Counts I, II, III, IV, V, VI, and

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VII may incorporate the same factual allegations (paragraphs 1 through 44), but Counts IV and VI must not broadly incorporate the allegations of any previous counts. Further, each count must identify the particular legal basis for liability and contain specific factual allegations that support each cause of action within each count.

3. Failure to comply with this Order may result in dismissal of the case without further notice.

**DONE AND ORDERED** in Chambers at Fort Pierce, Florida, this 23rd day of August 2023.



**AILEEN M. CANNON**  
**UNITED STATES DISTRICT JUDGE**

cc: counsel of record